

mation about this event and allaying the fears of uncertainty and doubt that many people might otherwise have had.

**FEDERAL COMMUNICATIONS COMMISSION AUTHORIZATION ACT OF 1984**

SPECH OF

**HON. TED WEISS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 17, 1983

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2755) to authorize appropriations for the Federal Communications Commission for fiscal years 1984 and 1985, and for other purposes.

Mr. WEISS. Madam Chairman, the legislation before the House today to authorize appropriations for the Federal Communications Commission (FCC) provides a modest but essential increase in funding for the Corporation for Public Broadcasting. For this reason I intend to vote in favor of H.R. 2755.

However, I believe this is an appropriate time to comment on the FCC's inexcusable record of indifference toward those Americans who have been traditionally neglected by the broadcasting industry: minorities, children and low-income citizens.

The FCC, under the direction of its chairman, Mark Fowler, has repeatedly turned away from its regulatory obligations.

In his zeal to deregulate the broadcasting industry, Chairman Fowler has supported the elimination of FCC rules which protect the public interest standard in broadcasting and insure broadcaster service to the entire populace, including minorities and children.

The FCC itself has an appalling record of upholding equal employment opportunities principles within the Commission. Of the 35 FCC employees in senior executive service positions, only 1 individual is a member of a minority community. No more than one minority is employed in a professional capacity in any of the four Commissioners' offices.

Chairman Fowler has been hesitant to require cable television firms to comply with existing equal employment opportunity requirements, and he has urged the repeal of equal employment opportunity reporting requirements for broadcasters.

He has also, in a number of instances, demonstrated a total lack of support for the FCC's longstanding policy of promoting minority ownership of radio and television stations.

The broadcasting industry, perhaps more than any other industry regulated by the Federal Government, requires strong oversight. Radio and television's ability to reach mass audiences gives the medium great influence. Adequate public access and responsible programming can only benefit

all Americans while strengthening our democracy.

Unfortunately, the FCC, under the present administration, is replacing strong oversight with regressive policies that hurt those least able to gain access to the airwaves.

**AMENDMENTS TO NATIONAL FOUNDATION ON ARTS AND HUMANITIES ACT**

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 18, 1983

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 2751, which would finalize the transferral of the Institute of Museum Services from the Department of Education to the National Foundation on the Arts and Humanities. Although the IMLS has, de facto been transferred through the appropriations process, the statutory authority has not been transferred as well. Without this necessary change, the Institute of Museum Services must yet continue to report to the Department of Education, and is not included as an advisory member to the foundation.

The bill before us also increases the authorization levels for fiscal year 1984, with additions of \$47.3 million for the National Endowment for the Arts, \$44.8 million allocated to the National Endowment for the Humanities, and \$2.8 million for the Institute of Museum Services. This brings us to an authorization totals for fiscal year 1984 of \$164.5 million for the NEA, \$144.5 million for the NEH, and \$12.8 million for the IMLS.

This continued Federal support of the arts and humanities is necessary, not only for the cultural contribution made to society by all those involved with these programs, but also in maintaining Federal involvement, which stimulates action by private-sector organizations. As a member of the Congressional Arts Caucus, I am pleased to endorse H.R. 2751, and urge my colleagues to vote for its adoption.

**FEDERAL COMMUNICATIONS COMMISSION AUTHORIZATION ACT OF 1984**

SPECH OF

**HON. ROBERT W. KASTENMEIER**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 18, 1983

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2755) to authorize appropriations for the Federal Communications Commission for fiscal years 1984 and 1985, and for other purposes.

Mr. KASTENMEIER. Madam Chairman, the bill in its present form pending before this body follows directly on the lead taken by the gentle-

man from Virginia (Mr. BILLY). As a result of an amendment offered by the gentleman, the Energy and Commerce Committee adopted an amendment which proscribed certain types of obscene telephone communications. The apparent purpose of the amendment was to curtail the spiraling growth in the "Dial-a-Porn" phone call services.

It is sad to say that in recent years we have seen the development of a new growth industry—the publication and dissemination of pornography. One aspect of this business has been the establishment of prerecorded phone messages of an obscene nature which may be accessed by anyone—including minor children. This practice is at its most offensive when such phone numbers are freely available to elementary school age children. Thus, I know we all share the concerns of the gentleman from Virginia about the need to protect our children from this type of obscene communication.

The bill, as amended, is carefully crafted to reach the type of conduct which was so offensive to the members of the Energy and Commerce Committee. The bill now sets forth a criminal offense for persons who operate these dial-a-porn services. It draws on the suggestions made by the BILLY amendment, but makes certain improvements and modifications. First, the bill in its present form increases the fine level for persons who violate the provisions of existing section 223 of title 47 (relating to the affirmative making of obscene phone calls) to \$50,000. Second, persons found guilty of the offense are subject to two types of criminal penalties. A person who knowingly makes obscene communications will be subject to a maximum fine of \$50,000 and imprisonment of up to 5 months. In the event that the defendant intentionally violated the law, the maximum fine is increased to \$50,000 per day of violation. Third, the bill now requires the Federal Communications Commission to establish standards to regulate the time, place, and manner in which certain types of telephone communication can be proscribed. Finally, the bill constrains

\*The bill, as amended, requires that the prosecution establish beyond a reasonable doubt that the defendant acted "knowingly." This state of mind requirement is derived from the proposed Federal Criminal Code and the Model Penal Code. See H.R. 6915 (88th Cong.); House Report H.R. 1206 at 22-24. Similarly, the term "intentionally," as used in the amendment, is intended to be interpreted in the same fashion.

\*The bill, as amended, establishes a defense to prosecution if the defendant restricted access to persons 18 years of age and older, pursuant to regulations promulgated by the Federal Communications Commission. The term "defense" is intended to have the same meaning as applicable in the proposed Federal criminal code. Ibid. at IV-18. In promulgating these regulations, the Federal Communications Commission should respect the constitutional right to privacy enunciated by the Supreme Court in *Stanley v. Georgia*, 394 U.S. 557 (1969), including the right to receive information. Congress intends that the FCC promulgate reasonable time, place, and manner restrictions calculated to restrict access to prohibited communications by persons under 18 years of age.

the reach of the criminal offense to constitutional limits.

I urge my colleagues to support this bill to restrict access to obscene telephone messages by children.

#### EULOGY TO DR. CHIEN SHIH-LIANG

#### HON. JAMES H. SCHEUER

of NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 18, 1983

Mr. SCHEUER. Mr. Speaker: all of us who know Dr. Fredrick F. Chien, representative of the Coordination Council of North American Affairs for the Republic of China, were deeply saddened to learn of the recent death of his father.

After reading the eulogy of Dr. Chien Shih-liang in this month's issue of the Free China Review, it is easy to understand why Dr. Fredrick Chien is such a marvelously attractive and talented individual who is held in such high respect and esteem by the entire Washington diplomatic community.

I commend this moving tribute to my colleague's attention.

#### In PRAISE of a Famous Man

When Chien Shih-liang was graduated in 1951 from Peking's prestigious National Tsinghua University, he was regarded by his professors and fellow students as a "whizkid from Hangchow"—young and exceptionally bright. But he was not contented with this natural endowment or his accomplishments in organic chemistry. He quickly rejected flat offers from a number of organizations, opting to continue his studies. In the summer of his graduation, he sailed with a few schoolmates to the United States to enroll at the University of Illinois. Three years later, he returned to China with his doctorate. From that time forward, he dedicated himself as a scholar and has been considered by others as being a treasure of China.

He began teaching at National Peking University, at age 24 the youngest professor. Then, when Peking was besieged by the Chinese Communists, the ROC government sent a special plane to bring Dr. Chien and a few other outstanding scholars to Nanking, and finally to Taipei.

In January 1949, he was appointed to a professorship and named dean of education at National Taiwan University. He assisted Fu Sin-nien, then president of the university, to make the university a model Chinese institution of higher learning. The students abandoned the black tunics and the hip towels tucked under the belts of the militaristic Japanese student body. Above all, academic freedom was assured, although the whole country was engaged in bitter warfare with the Communists.

When Fu suddenly died of a cerebral hemorrhage in 1951, Dr. Chien was the natural choice to replace him. In his subsequent 18 years as university president, the longest such tenure in Chinese record, Dr. Chien made NTU not only the largest university in Taiwan, but also of the world's prestigious universities. In addition to institutionalizing the curricula of the five colleges—law, science, engineering, agriculture, and medicine, he built up a number of excellent libraries and laboratories with assistance from the United States.

Dr. Chien's efforts, prior to Taiwan economic success to obtain U.S. assistance to develop the university were so strenuous that one reporter wrote this ditty for circulation on the NTU campus:

"He opens his mouth for money,

He closes his mouth for money,

Who is that man?

Money is his surname."

In Chinese, chien means money. But Dr. Chien always ignored creature comforts for himself. He never budged from his dilapidated Japanese-style quarters, which must have a history of at least half a century.

Under his stewardship, National Taiwan University became the top goal of Chinese scholastic aspirants. Each year, the 100,000 high school graduates who take part in the highly competitive joint entrance examination for college, without exception, make National Taiwan University their first choice.

In 1970, Dr. Chien moved up to the presidency of the country's top academic institution—the Academia Sinica. Although a natural scientist himself, Dr. Chien gave equal importance to the social sciences and to biological studies at the academy. In his 13-year tenure, he increased the Academia's institutes from 9 to 11, with another 2 still in the preparatory stage.

Before Dr. Chien's presidency, the Academy had a reputation as an ivory tower, housing world famous scholars. It was Dr. Chien who made them involve themselves in the activities of the country by assuming leading posts in other cultural and scientific organizations.

Every other year, he would go abroad to meet Chinese scholars and solicit their advice. This year—no exception—was his last. On May 1, he launched visits to Germany and the United States, returning to Taiwan on June 16.

Dr. Chien suffered from high blood pressure and diabetes, and even before the trip, he felt indisposed. He would not cancel the trip simply because his meetings with the scholars had been long arranged. "It will not inconvenience them," he told his subordinates.

After returning from the strenuous 46-day trip, the 76-year-old scholar went right from the airport, not to his home but to his office. A week later, he could not stand up under this workload and checked in at the National Taiwan University Hospital for a physical check and for treatment of diabetes and coronary thrombosis. He was placed under intensive care, but at times fell into a kind of trance. Once, pointing out diagnostic files placed on a bureau, he scolded a nurse for failing to allow him to "process the official papers," mistaking the hospital ward for his office.

Dr. Chien passed away on the evening of September 18, 1983. He is survived by three sons, all of whom have made their own marks in this country. Robert Chien Chen, the oldest, is deputy governor of the Central Bank of China. His second son, Dr. Chien Kou, a professor of physiology and director of circulatory physiology and biophysics at Columbia University, is also a member of Academia Sinica. His youngest son, Dr. Frederick F. Chien, was vice foreign minister of the Republic of China before taking up his present post as head of the Coordination Council of North American Affairs, the Republic of China's office in Washington, D.C.

#### SOVIET FORCED LABOR

SEARCH OF

#### HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 17, 1983

Mr. YATRON. Mr. Speaker, I rise in support of H.R. 100, and against forced labor in the Soviet Union. As chairman of the Subcommittee on Human Rights and International Organizations, I must emphasize the importance of this legislation which calls upon the Soviet Union to end its repressive forced labor system.

Soviet forced labor practices violate internationally recognized standards of human rights. The system not only imprisons the physical being, but also holds the mind captive by forbidding freedom of thought and expression. Compulsory labor can be used for economic purposes, or as a means of political coercion. Regardless of why the system is employed, the result is always the same—suffering and hardship for the worker. It is a method which jeopardizes the right of the individual and undermines the charter of the United Nations and the universal declaration of human rights.

Apart from undermining human rights, forced labor is strictly prohibited by Federal law. When Congress passed the Smoot-Hawley Tariff Act of 1930, it included a provision banning importation of products "mined, produced, or manufactured wholly or in part in any foreign country by convict labor." This measure has been used to bar certain imports from Cuba, Mexico, and the Soviet Union in the past.

There is considerable evidence that numerous items produced in the Soviet Union were made with forced labor. How can the United States, a country where a free and independent labor movement has thrived and struggled to preserve the dignity of the worker, accept products made by enslaved individuals in the Soviet Union?

Ignoring this Soviet labor system is incongruent with this country's reputation as a protector of human rights. Through this resolution, we are saying to the Soviet Union, and to all countries using compulsory labor, that these policies are morally reprehensible, and the United States will not tolerate them.

Mr. Speaker, last week the Subcommittee on Human Rights and International Organizations, together with the Helsinki Commission, held hearings on forced labor in the Soviet Union. Our findings substantiated our fears—millions of people are forced to work in prison camps in the Soviet Union. They have no rights or benefits. Instead they must succumb to the will of their government, a government that ignores human rights and international law in the treatment of its citizens.